



**State of Washington
DEPARTMENT OF FISH AND WILDLIFE**

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April 17, 2012

U.S. Army Corps of Engineers
Attn: CECW-CE, Tammy Conforti
441 G Street Northwest
Washington, D.C. 20314-1000

Dear Ms. Conforti:

Re: Docket number -COE-2010-0007

The Washington Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the proposed U.S. Army Corps of Engineers (Corps) Policy Guidance Letter (PGL) for levee vegetation management. As you may be aware, many Washington salmon populations are listed under the Endangered Species Act (ESA) and riparian vegetation plays a vital role in maintaining productive salmon habitat.

The Department is concerned that the policies outlined in the Draft PGL will not allow salmon populations and their habitats to remain viable due to the strong requirements linking the PGL to the umbrella guidance contained in the Engineer Technical Letter (ETL) 1110-2-571 - *Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures*. In other words, we find the requirements of the ETL so constraining that variance allowances in the draft PGL process are inadequate to protect salmon and salmon habitat.

Where vegetation is permitted in the PGL, restrictions on the size, root characteristics, and density greatly diminish its potential to shade streams or form and maintain in-stream salmon habitat. Many levees in Washington are immediately adjacent to streams, providing little to no room for planting benches between them. Additionally, strict interpretation of the PGL appears to preclude vegetation on most of the levee prism, including the crown and landward side. Where temperature impairments already stress rearing juvenile salmon and steelhead, additional vegetation removal to accommodate these new Corps policies may cause lethal temperature increases as has recently been modeled in the Green River watershed.

The Department recognizes that safety is the primary intent of the new levee vegetation policies, and we support that safety is the first priority. However, the Corp's own Engineer Research and Development Center (ERDC) researchers have noted that robust science and engineering principles linking vegetation removal with increased levee safety is tenuous, especially with regard to streams and rivers of the West Coast where levee and river characteristics differ

significantly from Mid-west and East Coast systems (see Dunbar et al. 2011 and Corcoran et al. 2010).

In many situations, vegetation has been observed to benefit levee stability. The Department's environmental engineers and biologists have been engaged in bioengineering principles that protect banks from erosion using vegetation and downed wood with great success for nearly 20 years. We strongly encourage the Corps to engage with regional experts in conducting more research and adaptive management principles to develop more appropriate standards for West Coast levees. We believe there are much greater opportunities to maintain salmon habitat and protect public safety than is currently contained in the draft PGL process.

The Department has participated in a Seattle workgroup where regional solutions to levee vegetation problems are developed with stakeholders from diverse disciplines. Although the Seattle workgroup progress has room for continued improvement, we have confidence that variance decisions made by these stakeholders at the Corp's District or Division level is more likely to develop workable solutions for safety and salmon habitat than is currently contained in the PGL process. Under the Corps proposed PGL process, the Department is further concerned that incentives to complete a variance process are weak, and simply defaulting to the national standard will become the preferred option among levee sponsors. This pathway is completely inadequate to protect salmon from wholesale habitat degradation, including increases in potentially lethal temperature regimes.

The Department is concerned that adoption of the PGL fails to adequately protect imperiled fish populations from the overarching standards of the ETL. We strongly encourage the Corps to consult with the Federal Services (NMFS and USFWS) prior to administering the levee vegetation management program to prevent jeopardy to ESA-listed salmon and steelhead. The Department looks forward to working with the Corps to improve the PGL process and increasing the science in support of safe and ecologically responsible levee vegetation management.

Thank you for the opportunity to provide comment on the revised PGL. If you have questions, please contact our Restoration Division Manager, David Price at 360-902-2565 or david.price@dfw.wa.gov.

Sincerely,



Lisa Veneroso
Assistant Director, Habitat Program

cc: David Price